

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN**

In re:
City of Detroit, Michigan
Debtor.

Chapter 9

Case No. 13-53846

Judge Thomas J. Tucker

**ORDER RESOLVING FIFTH THIRD BANK'S MOTION FOR RELIEF AND
DECLARING AUTOMATIC STAY VOID AB INITIO AND VALIDATING
FORECLOSURE SALE AND WAIVING THE PROVISION OF FRBP 4001(a)(3)**

This case is before the Court on the stipulation filed on June 30, 2015 (Docket # 10010, the "Stipulation"), to resolve the *Motion for Relief and Declaring the Automatic Stay Void Ab Initio and Waiving the Provisions of FRBP4001(a)(3)* (Docket # 9965, the "Motion") filed by Fifth Third Bank, as servicer for Fifth Third Mortgage Company with respect to the property commonly known as 20245 Mendota St., Detroit, MI 48221 situated in the City of Detroit, County of Wayne in the State of Michigan with a legal description of:

**Lot(s) 4275, including ½ the adjoining vacated public alley at the rear thereof,
Blackstone Park Subdivision No. 6 as recorded in Liber 52 on Page(s) 91 and 92
of Plats.**

and the approximate market value of the property is \$38,926.00; and the Foreclosure Sale Bid being approximately \$55,104.92; and the property having been sold at Sheriff's Sale on March 6, 2014; and the City of Detroit, Michigan, by and through its counsel, Miller, Canfield, Paddock and Stone, P.L.C. having informally objected to the Motion; and the parties having resolved the objections; and the Court being otherwise advised in the premises:

IT IS ORDERED that the Motion is granted, and the Automatic Stay is vacated *nunc pro tunc* to September 1, 2013 as to Movant with respect to the property located at 20245 Mendota St., Detroit, MI 48221.

IT IS FURTHER ORDERED that Fed.R.Bankr.P. 4001(a) (3) is waived.

Signed on June 30, 2015

/s/ Thomas J. Tucker

**Thomas J. Tucker
United States Bankruptcy Judge**